

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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In re PETER SZANTO,  
  
Debtor.

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PETER SZANTO,  
  
Appellant,  
  
vs.  
  
JPMORGAN CHASE BANK, N.A., et al.,  
  
Appellees.

Case No. 3:14-cv-00355-RCJ  
Bankr. No. 13-bk-51261-BTB

**ORDER**

Debtor–Appellant Peter Szanto has filed several related cases in this Court. In 2011, he sued his brother, his brother’s wife, and two of their business entities for, *inter alia*, alleged breaches of fiduciary duty (Case No. 3:11-cv-394). The Court has dismissed that case. In 2014, during the pendency of his bankruptcy case (Case No. 13-bk-51261), Debtor–Appellant filed a civil complaint against the U.S. Trustee for alleged civil rights violations (Case No. 3:14-cv-259). The Court has dismissed that case. Also in 2014, Debtor–Appellant moved to withdraw the reference of his bankruptcy case (Case No. 3:14-cv-322). The Court denied that motion and closed the case. Debtor–Appellant appealed an order issued in his bankruptcy case granting a creditor’s motion to set aside an order the bankruptcy court entered based on improper service in

1 a contested matter (Case No. 3:14-cv-389). The Court dismissed that appeal for lack of appellate  
2 jurisdiction.

3 The present case is Debtor–Appellant’s appeal of the dismissal of his bankruptcy case  
4 (Case No. 3:14-cv-355). The opening brief was originally due on April 9, 2015. The Court  
5 granted two successive extensions, to May 12, 2015 and June 12, 2015. On June 12, 2015,  
6 Debtor–Appellant filed the present motion, asking the Court to extend time again to July 12,  
7 2015, citing again his *pro se* status and the complexity of the issues. He has also asked the Court  
8 to amend his notice of appeal.

9 The Court denies the motion. Debtor–Appellant has not, as he previously did, argued  
10 that his health makes it difficult for him to formulate an opening brief, and at this point it appears  
11 clear that his health does not in fact prevent him from making arguments and drafting briefs.  
12 The Court also notes that the issues on appeal are not complex, i.e., the bankruptcy judge’s  
13 failure to recuse and whether the bankruptcy judge abused his discretion in granting a motion to  
14 dismiss for failure to timely file a disclosure statement or to file or confirm a confirmation plan  
15 under 11 U.S.C. § 1121(b)(4)(J).

16 Debtor–Appellant’s request to amend the Notice of Appeal to challenge the Bankruptcy  
17 Court’s order granting a creditor’s motion to set aside an order the bankruptcy court entered  
18 based on improper service in a contested matter is denied. As the Court noted when dismissing  
19 the previous case for lack of appellate jurisdiction, the claim is without merit for at least two  
20 independent reasons, and the Bankruptcy Court in fact would have committed reversible error  
21 had it refused to grant the motion.

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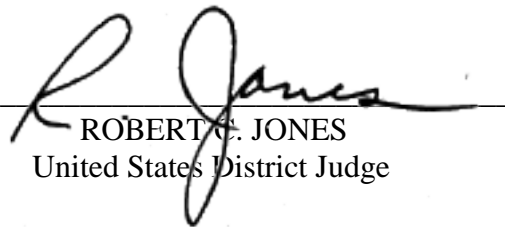
**CONCLUSION**

IT IS HEREBY ORDERED that the Motion to Extend Time and to Amend the Notice of Appeal (ECF No. 19) is DENIED.

IT IS FURTHER ORDERED that the appeal will be dismissed for lack of prosecution under Local Bankruptcy Rule 8070(a) if Debtor–Appellant files no opening brief within seven (7) days of the entry of this Order into the electronic docket.

IT IS SO ORDERED.

Dated: This 25th day of June, 2015.

  
ROBERT C. JONES  
United States District Judge